

REMARKS

Claims 1-13 and 16-28 are pending in the application. Claims 1-4, 10, and 17-28 have been amended hereby. Claims 14 and 15 have been cancelled, without prejudice or disclaimer. Claims 29 and 30 have been added. Claims 1, 22, 26, 28, and 30 are in independent form. Favorable reconsideration is requested.

Applicants acknowledge with appreciation the assistance of Examiners Fischer and Dega in evaluating the application in the interview occurring on January 7, 2010, in which no specific agreement was reached.

Claims 14 and 15 have been cancelled, thereby rendering the rejection thereof moot.

Reconsideration is respectfully requested of the rejection of Claims 1-28 under 35 U.S.C. §112, second paragraph, as being indefinite.

The claims have been amended in part to address the issues raised in the Office Action in paragraphs 6-12.

Accordingly, it is respectfully submitted that amended independent Claims 1, 22, 26, and 28, and the claims depending therefrom, are clear and definite in their recitation of the present invention, and meet all requirements of 35 U.S.C. §112.

Reconsideration is respectfully requested of the rejection of Claims 1, 2, 6, 7, 12-16, 18, 19, 21, 26, and 27 under 35 U.S.C. §103(a), as being obvious over U.S. Patent No. 6,845,453 ("Scheidt") in view of U.S. Patent No. 6,591,224 ("Sullivan"); and of rejection of Claims 3-5, 17, 20, 22-25, and 28, as being obvious over Scheidt in view of Sullivan and U.S. Patent Publication No. 2003/0037004 ("Buffum"); and of the rejection of Claims 8-11, as being obvious over Scheidt in view of Sullivan and U.S. Patent No. 7,039,812 ("Kawan").

Further to the arguments presented in the Amendments filed January 21 and October 8, 2009, the Office Action on page 5 concedes that Scheidt fails to teach or suggest a second vendor's algorithm being used to generate a second template, and cites col. 4, lines 27-37 of Sullivan as curing this deficiency.

It is respectfully submitted that, contrary to the Office Action interpretation of Sullivan, Sullivan does not teach or suggest the use of the same biometric sample (e.g. a fingerprint image from a single device) to create multiple reference templates using multiple biometric algorithms, as recited in amended independent Claims 1, 26, and 28, and new Claim 30. Sullivan uses the term "sample" to mean finger rather than fingerprint image; and Sullivan involves placing the finger on multiple sensors.

In other words, in the presently claimed invention, the user places their finger on one sensor; and after that multiple vendors' enrollment templates are created. In contrast, in Sullivan, the user places their finger on multiple sensors to create multiple vendors' templates. It is respectfully submitted that none of the cited references relates to the use of multiple biometric algorithms to process the same fingerprint image captured from one sensor.

An advantage of the presently claimed invention is that a subject enrolling in a passport system, for example, comes in to a government office and places their finger on a single sensor. Then the backend system takes that one fingerprint image (i.e., sample) and processes it through multiple enrollment algorithms from different vendors to create several different enrollment templates. The subject does not have to spend time to place their finger on multiple sensors (as they would have to in Sullivan).

Moreover, the embodiment of Claim 22 recites a method where the reference (enrollment) template is not created until a requesting authority identifies which vendor's

biometric algorithm to use to create the reference template. This is in contrast to Buffum where the third party request to authenticate is based on “a previously enrolled end user” (Abstract and Fig. 1).

That is, the requesting authority in Buffum is simply making a request to authenticate against a reference template previously enrolled image. This type of authentication request is common in biometric systems and requires that the authentication be done with the same biometric vendor whose algorithm created the reference template. In contrast, the requesting authority in the presently claimed invention, as recited in independent Claim 22, is making a request to enroll a sample to create an enrollment reference template; and unlike in Buffum, the requesting authority may identify any vendor to be used in creating the reference template.

Kawan fails to cure the deficiencies of Scheidt, Sullivan, and Buffum.

Accordingly, it is respectfully submitted that amended independent Claims 1, 22, 26, 28, and 30, and the claims depending therefrom, are patentably distinct over the cited references, alone or in any possible combination.

In view of the amendments and remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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